

## Huff, Gwen

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**From:** Davidoff, Baryohay  
**Sent:** Tuesday, December 21, 2010 9:56 AM  
**To:** Jemaa, Fethi Ben  
**Subject:** FW: Irrigated acres  
**Attachments:** Irrigated acres.pdf

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**From:** David Cone [\[mailto:dcone@krcd.org\]](mailto:dcone@krcd.org)  
**Sent:** Friday, December 17, 2010 4:23 PM  
**To:** Davidoff, Baryohay; Alemi, Manucher  
**Cc:** Mike Wade  
**Subject:** Irrigated acres

Baryohay,

I am not sure if this helps to define irrigated acres (Anise's question) but attached is the Bureau's water service contract wording using a 5-acre (more or less) cutoff. When the CVP districts were negotiating their new water service contracts with the Bureau, this was quite an issue for some districts (not for my district).

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133 (l) "Irrigation Full Cost Water Rate" shall mean the Full Cost Rate applicable to  
134 the delivery of Irrigation Water;

135 (m) "Irrigation Water" shall mean water made available from the Project that is  
136 used primarily in the production of agricultural crops or livestock, including domestic use incidental  
137 thereto, and watering of livestock;

138 (n) "Landholder" shall mean a party that directly or indirectly owns or leases  
139 nonexempt land, as provided in 43 CFR 426.2;

140 (o) "Municipal and Industrial (M&I) Water" shall mean Project Water, other  
141 than Irrigation Water, made available to the Contractor. M&I Water shall include water used for  
142 human use and purposes such as the watering of landscaping or pasture for animals (e.g., horses)  
143 which are kept for personal enjoyment or water delivered to landholdings operated in units of less  
144 than five acres unless the Contractor establishes to the satisfaction of the Contracting Officer that  
145 the use of water delivered to any such landholding is a use described in subdivision (m) of this  
146 Article;

147 (p) "M&I Full Cost Water Rate" shall mean the Full Cost Rate applicable to the  
148 delivery of M&I Water;

149 (q) "Operation and Maintenance" or "O&M" shall mean normal and reasonable  
150 care, control, operation, repair, replacement (other than capital replacement), and maintenance of  
151 Project facilities;

152 (r) "Operating Non-Federal Entity" shall mean the entity, its successors or  
153 assigns, which has (have) the obligation to operate and maintain all or a portion of the Delta  
154 Division Facilities pursuant to written agreement(s) with the United States. When this Contract was  
155 entered into, the Operating Non-Federal Entity was the San Luis & Delta-Mendota Water Authority.